



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, WEDNESDAY, MARCH 1, 2023

No. 39

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mrs. MURRAY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal spirit, You see our thoughts from a distance. You look not merely on our exteriors but also at our interiors. You know our desire to please You and to honor You with our lives. You know our remorse for neglected duties, missed opportunities, and selfish pursuits.

Lord, You are aware that we need strength for today and hope for tomorrow. Today, meet the needs of our lawmakers as they confront the challenges of our time. Give them faith to trust that Your sovereign providence will prevail. Remind them that they are never alone.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. WELCH). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Margaret R. Guzman, of Massachusetts, to be United States District Judge for the District of Massachusetts.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

CONGRESSIONAL DELEGATION

Mr. MCCONNELL. Mr. President, last week, Senate Republican colleagues and I visited our allies and partners in Europe. We both reassured them of America's commitment to strength and leadership but also urged them to invest and engage more in security and the transatlantic alliance.

Our allies are coming around to the realization that security assistance to Ukraine is not just helping one nation's citizens defend their sovereignty. It is also degrading Russia's ability to further threaten Europe or threaten America and sending a powerful deterrent signal to other potential aggressors.

From our own perspective, much of the money that is being described as American aid to Ukraine is actually being invested in our own defense industrial base here at home. We are procuring new versions of munitions and weapons for our own military to replace often decades-old versions that we have sent over to Ukraine.

And, after an ill-advised "holiday from history," European allies are now following America's lead. NATO members are making historic investments in defense that will keep paying dividends long after Ukraine defeats Putin's aggression.

The West is priming the pump of the industrial capacity that will ensure we

are prepared to meet the larger military challenges posed by systemic rivals like China.

The recent press reports that Beijing is considering providing weapons to Russia should not come as a surprise. China has plenty of reasons to fear a Russian defeat and plenty of reasons to hope Russia gets away with forcibly seizing another country's territory.

Yesterday, the Senate Armed Services Committee heard testimony from Keith Kellogg, a former adviser to President Trump and cochair of the Center for American Security at the America First Policy Institute.

Like the vast majority of Republican Senators, he complained that the Biden administration had been actually too slow in providing military assistance to Ukraine. He noted that the best way to end the conflict was to "enable Ukraine to defeat the Russian army in Ukraine."

And what about the claim that the West supporting Ukraine is somehow distracting us from the threats posed by the PRC?

Here is what Kellogg said:

Make no mistake: weakness against Russian aggression is weakness against the Communist-Chinese threat . . . Russian victory in Ukraine today almost certainly means war for Taiwan tomorrow.

Likewise, in Japan, senior officials are spelling out the clear link between the response to Putin and the prospects of deterring President Xi. They have taken historic steps to invest more in their own defense, and during our trip last week, Prime Minister Kishida announced that Japan plans to direct \$5.5 billion in assistance toward Ukraine.

Other reports indicate that citizens of Taiwan are volunteering to fight alongside Ukrainians against Russia.

Let me say that again. There are reports that indicate citizens of Taiwan are volunteering to fight alongside Ukrainians against Russia.

The very people most threatened by the ambitions of the PRC tomorrow

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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understand the importance of Ukraine prevailing today.

Our friends and partners in the Middle East know the score as well. They have had to contend with Russia as an influential force in the region ever since President Obama failed to enforce his redline in Syria and Putin came rushing in to that conflict. Now our partners see the same Iranian missiles and UAVs that have struck their own cities being used by Russia to attack Ukraine. They know Moscow will repay Tehran soon somehow and that a victorious Russia will be less constrained in providing advanced capabilities to Iran.

So we have seen senior Israeli officials showing up in Kyiv. We have seen Saudi Arabia vote against Russia in the United Nations, pledge \$400 million in assistance to Ukraine, and send its first official delegation to Kyiv in 30 years.

Clearly, America's friends all around the world know that the way we respond to today's threats will determine our readiness to face tomorrow's. They know it in Europe, they know it in the Indo-Pacific, and they know it in the Middle East.

And, here at home, Republicans know that the safest America is a strong—strong—and engaged America. That is why we will continue to push President Biden and his administration to move faster to exert our leadership, invest in our own defense, equip our friends, and keep America safe.

JUDICIAL NOMINATIONS

Mr. President, now, on another matter, the quality of President Biden's judicial nominees has been in the headlines recently—for all the wrong reasons. Recently, the White House celebrated their 100th judicial confirmation with a bizarre press release that spent less than one sentence talking about legal qualifications before devoting five paragraphs to the nominees' demographics.

Then, a newly published analysis pointed out that the nominees whom Democrats have been confirming have been significantly less likely to have clerked at the Supreme Court, clerked at a circuit court, or graduated law school with top academic honors compared to the judges that Republicans spent the previous 4 years confirming—fewer prestigious clerkships, fewer academic honors.

Not terribly surprising, it appears this qualifications gap may also be leading to a job performance gap. A law professor at the University of Iowa has found that the first 10 Biden-appointed appellate judges have written about 140 majority opinions between them, or an average of about 14 opinions each.

By contrast, the first 12 appellate judges confirmed during the previous administration had written 415 majority opinions—that is 140 for the Biden nominees and 415 for the previous administration's appointees—by February 2019, or 34 each, over a comparable period of time—14 opinions

each for the Biden first 10, and 34 for the previous administration's first 10.

It appears President Biden's Court of Appeals judges are publishing opinions . . . less frequently than other recent judges.

So tomorrow, our colleagues on the Judiciary Committee will meet for a markup to consider a slate of nominees, including the now-infamous nominee from Washington State who was actually unable to recall what article V or article II of the U.S. Constitution were about. This is not exactly the bar exam; this is basic constitutional literacy. And this person on whom President Biden wants to bestow a lifetime appointment flunked.

Democrats are also trying to push forward the nomination of Michael Delaney, an attorney from New Hampshire who threatened a teenage Jane Doe victim of sexual assault that he would fight to strip away her anonymity and make her name a national story if she and her family did not settle their civil suit against the powerful prep school before it went to trial. Even some of our Democratic colleagues seem troubled by this. Senator BLUMENTHAL says he "has concerns" about this nominee. Chairman DURBIN admitted Delaney had "a rough hearing." Senator FEINSTEIN sent this nominee from her own party's White House a long list of detailed written questions.

This is the caliber of judicial nominees this administration is sending to the Senate—folks who couldn't pass a high school civics exam on the Constitution and folks who threaten a high school girl when she demands accountability for being attacked.

By the way, this brave young lady is outraged that President Biden is trying to reward her legal tormentor with a lifetime appointment and that our two Democratic colleagues from New Hampshire are actually backing this person. She just explained in a courageous op-ed for the Boston Globe how she received rape threats and death threats; how photos of her and her sisters were uploaded to hateful websites; how people took out inappropriate classified ads using her family's information—all because she dared to speak out and seek justice for what she had suffered.

This young lady wrote:

Biden's nomination as well as the nominee's support from Senators . . . Shaheen and . . . Hassan of New Hampshire show me and other survivors that they approve of what Delaney and St. Paul's School put me and my family through. . . . Michael Delaney's nomination must be withdrawn.

That is from the victim.

The American people deserve the best and brightest. It appears the Democrats are producing something else.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

RUPERT MURDOCH

Mr. SCHUMER. Mr. President, on Monday evening, reports came out that Rupert Murdoch, owner of FOX News, acknowledged in a deposition that hosts of the network promoted the false narrative that Donald Trump won the 2020 election.

Asked if he could have stepped in to prevent this, Mr. Murdoch acknowledged that he could have but chose not to—he could have stepped in but chose not to—and expressed regret for not doing so.

To this day, several FOX News hosts continue promoting the Big Lie. They keep spreading the Big Lie despite mounting evidence that, behind the scenes, many top hosts and executives at FOX have recognized that the stolen election narrative is entirely bogus. Nevertheless, they continue broadcasting it all the time.

This morning, Leader JEFFRIES and I wrote a letter to Mr. Murdoch demanding that he do what he should have done a long time ago: Order Tucker Carlson and other hosts on FOX News to stop spreading lies about the election. They need to stop giving a platform to dangerous and entirely unfounded conspiracy theories that eat at the wellspring of our democracy, and they need to admit on the air that they were wrong to engage in such negligent and destructive behavior.

Sadly, too much damage has already been done to our democracy. A significant segment of voters—by some measures, as much as 30 percent of the electorate—still do not believe that the 2020 election was legitimate. What FOX News hosts have done is flat-out dangerous—dangerous. When people doubt that elections are on the level, that is the beginning of the end of this wonderful democracy because elections are our wellspring. They are the core of what the Founding Fathers set up. It was the great novelty of the Constitution that has spread around the world.

When conspiracy theories like the Big Lie are allowed to grow, violence can ensue, as we all saw for ourselves on January 6.

Mr. Murdoch's testimony is all the more alarming after Speaker MCCARTHY is reportedly allowing Tucker Carlson to review highly sensitive security camera footage of the events surrounding the violent January 6 insurrection. Sharing that footage is a grave mistake that risks emboldening the supporters of the Big Lie.

Mr. Murdoch, FOX News executives, and hosts all have a choice—a very important choice: They can continue broadcasting lies about our elections and further erode trust in our democracy or they can admit their mistake, start telling the truth, and move beyond this shameful chapter in their company's history by coming clean with their viewers and with the American people. We hope Mr. Murdoch